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In re Application of GIOBBI :
U.S. Application No.: 10/573,921 :
PCT Application No.: PCT/US04/26289 :
Int. Filing Date: 11 August 2004 : COMMUNICATION
Priority Date Claimed: 11 August 2003 :
Attorney Docket No.: 5295-3 :
For: IN-LINE AUTOMATED THORACIC :
DRAIN COLLECTION AND VENT :
SYSTEM :

This is in response to applicant's "Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b)" filed 22 March 2006.

BACKGROUND

On 11 August 2004, applicant filed international application PCT/US04/26289, which claimed priority of an earlier United States application filed 11 August 2003. The thirty-month period for paying the basic national fee in the United States expired on 11 February 2006.

International application PCT/US04/26289 became abandoned as to the United States for failure to timely pay the basic national fee.

On 22 March 2006, applicant filed the present petition under 37 CFR 1.137(b).

DISCUSSION

37 CFR 10.18 specifies that correspondence filed by a practitioner in the USPTO must be personally signed by the practitioner. See also MPEP 402.01. The petition filed 22 March 2006 will not be treated on the merits since it is not signed by the practitioner. However, applicant is advised that although the petition states that a national stage application and fee payment were submitted with the petition, a review of the application file reveals that no national stage application papers or fees have been received.

CONCLUSION

If treatment on the merits of the petition is desired, a signed petition must be submitted. The application remains abandoned as to the United States.

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

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